

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Donald Needham,

Plaintiff,

v.

Case No. 1:19cv368

Richard K. Jones, Sheriff of
Butler County, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on June 12, 2019 (Doc. 2).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 2) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 2) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the Magistrate Judge, the Complaint (Doc. 1-1) is dismissed with prejudice on the ground that plaintiff’s allegations are duplicative of the allegations made in Case No. 1:19cv294. *See* 28 U.S.C. § 1915(e)(2)(B).

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610–11 (6th Cir. 1997).

IT IS SO ORDERED.

s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court